

The City Council of the City of Mattoon held a regular meeting in the Council Chambers at City Hall on August 1, 2006 at 7:00 p.m. after a 6:30 p.m. caucus session.

Mayor White presiding.

Mayor White led the Pledge of Alliance.

The following members of the Council answered roll call: YEA Commissioner David Cline, YEA Commissioner Randy Ervin, YEA Commissioner Joseph McKenzie, YEA Commissioner David Schilling, YEA Mayor Charles E. White.

Also in attendance were City personnel: City Administrator Alan Gilmore, City Attorney/Treasurer J. Preston Owen, Community Development Coordinator Kyle Gill, Deputy Fire Chief Andy Adair, Police Chief Larry Metzelaars, and City Clerk Susan O’Brien.

CONSENT AGENDA:

Items listed on the Consent Agenda are considered to be routine in nature and will be enacted by one motion. Prior to asking for a motion to approve the Consent Agenda, the mayor will ask if anyone desires to remove an item from the Consent Agenda for public discussion. No separate discussion of these items will occur unless a Council Member requests the item to be removed from the Consent Agenda. If an item is removed from the Consent Agenda, it will be considered elsewhere on the agenda for this meeting.

Mayor White seconded by Commissioner Schilling moved to approve the consent agenda as follows: minutes of the regular meeting July 18, 2006; report of the Police Department for the month of June; and payroll and bills for the last half of July; Council Decision Request 2006-638, approving the appointment of Ryan Hurst to regular employment status on successful completion of his probationary period effective July 31, 2006.

Bills and Payroll for the last half of July, 2006

General Fund

Payroll		\$	264,375.90
Bills		\$	<u>308,382.68</u>
	Total	\$	572,758.58

Hotel Tax Fund

Payroll		\$	2,394.54
Bills		\$	<u>1,250.45</u>
	Total	\$	3,644.99

Festival Management Fund

Bills		\$	<u>3,797.08</u>
	Total	\$	3,797.08

Midtown TIF

Bills		\$	<u>1,200.00</u>
	Total	\$	1,200.00

Water Fund

Payroll		\$	29,194.33
Bills		\$	<u>54,264.97</u>
	Total	\$	83,459.30

Sewer Fund

Payroll		\$	30,250.91
Bills		\$	<u>57,066.01</u>

	Total	\$ 87,316.92
<u>Cemetery Fund</u>		
Payroll		\$ 6,277.18
Bills		<u>\$ 383.84</u>
	Total	\$ 6,661.02
<u>Motor Fuel Tax Fund</u>		
Bills		<u>\$ 5,432.69</u>
	Total	\$ 5,432.69
<u>Health Insurance</u>		
Bills		<u>\$ 74,313.40</u>
	Total	\$ 74,313.40

Mayor White declared the motion to approve the consent agenda carried by the following vote: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

PUBLIC PRESENTATIONS, PETITIONS AND COMMUNICATIONS

This portion of the City Council meeting is reserved for persons who desire to address the Council. The Illinois Open Meeting Act mandates that the City Council may NOT take action on comments received on matters that have not been identified on this agenda, but the Council may direct staff to address the topic or refer the matter for action on the agenda for another meeting. Persons addressing the Council are requested to limit their presentations to three minutes and to avoid repetitious comments.

There was no public discussion.

NEW BUSINESS:

Mayor White seconded by Commissioner McKenzie moved to adopt Special Ordinance 2006-1149, authorizing a variance of the sideyard setback requirements for an addition and garage at 1409 South 14th Street. Walter and Marvetta Childress – Petitioners.

CITY OF MATTOON, ILLINOIS

SPECIAL ORDINANCE NO. 2006-1149

AN ORDINANCE GRANTING A VARIANCE FROM BUILDING SET BACK REQUIREMENTS TO ENABLE CONSTRUCTION OF AN ADDITION TO THE HOUSE AND ATTACHING IT TO THE GARAGE AT 1409 SOUTH 14TH STREET

WHEREAS there has been filed a written Petition by Walter G. and Marvetta D. Childress for a variance, respecting the property legally described as:

Lot Three (3) in Block Five (5) in Noyes’ Fourth Addition to City of Mattoon, Coles County, Illinois, commonly known as 1409 South 14th Street, Mattoon, Illinois.

WHEREAS, said petition requests that a variance be granted pursuant to applicable ordinances of the municipality to allow construction of an addition connecting the house and garage with only a 1-foot setback from the side property line on the South side of the property; and

WHEREAS the zoning code requires a 5-foot side yard setback, of the primary structure, in the R1 Single Family Residence Zoning District; and

WHEREAS the Board of Zoning Appeals held a properly noticed public hearing on July 5, 2006 regarding petitioner’s request for

said variance; and

WHEREAS both the Planning Commission for the City of Mattoon, Coles County, Illinois, and the Zoning Board of Appeals for the City of Mattoon, Coles County, Illinois, have recommended that the requested variance be granted; and

WHEREAS the City Council for the City of Mattoon, Coles County, Illinois, deems that the recommended variance is in the public interest.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF MATTOON, COLES COUNTY, ILLINOIS, as follows:

Section 1. Pursuant to enabling authority provided at Section §159.05 of the Mattoon Code of Ordinances, the property legally described as aforesaid, be and the same is granted a variance of the side yard set back requirement on the South side of the property as requested to enable construction of an addition to the house and attaching it to garage.

Section 2. This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

Section 3. This ordinance shall be effective upon its approval as provided by law.

Section 4. The City Clerk shall make and file a duly certified copy of this ordinance with the Clerk and Recorder's Office of Coles County, Illinois.

Upon motion by Mayor White, seconded by Commissioner McKenzie, adopted this 1st day of August, 2006 by a roll call vote, as follows:

AYES (Names):	<u>Commissioner Cline, Commissioner Ervin,</u>	<u>Commissioner McKenzie, Commissioner Schilling,</u>
	<u>Mayor White</u>	
NAYS (Names):	<u>None</u>	
ABSENT (Names):	<u>None</u>	

Approved this 1st day of August, 2006.

/s/ Charles E. White

Charles E. White, Mayor
City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM:

/s/ Susan J. O'Brien
Susan O'Brien, City Clerk

/s/ J. Preston Owen
J. Preston Owen, City Attorney

Recorded in the Municipality's Records on August 2, 2006.

Mayor White declared the motion carried by the following vote: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

Mayor White seconded by Commissioner Cline moved to adopt Special Ordinance 2006-1150, authorizing a variance from building height and size requirements to enable construction of a post-frame accessory building at 4420 Western Avenue. Bruce Speer – Petitioners.

CITY OF MATTOON, ILLINOIS

SPECIAL ORDINANCE NO. 2006-1150

AN ORDINANCE GRANTING A VARIANCE FROM BUILDING HEIGHT AND SIZE
REQUIREMENTS TO ENABLE CONSTRUCTION OF A POST-FRAME ACCESSORY
BUILDING, FOR PERSONAL USE, AT 4420 WESTERN AVENUE

WHEREAS, there has been filed a written Petition by Bruce D. Speer for a variance, respecting
The property described as:

Part of Section 16, Book 781, Page 060, containing 12.92 acres, commonly known as 4420
Western Avenue, Mattoon, Illinois

WHEREAS, said petition requests that a variance be granted pursuant to applicable ordinances of the municipality to allow construction of
a 6,336 square feet, post-frame accessory building with a height that exceeds the 18 feet maximum allowed by ordinance, and a 1,320
square feet lean to, for personal use; and,

WHEREAS, the zoning code limits the height, the use and also the size of accessory buildings; and

WHEREAS, the Board of Zoning Appeals held a properly noticed public hearing on July 18, 2006 regarding petitioner's request for
said variance; and

WHEREAS, both the Planning commission for the City of Mattoon, Coles County, Illinois, and the zoning board of Appeals for the city
of Mattoon, Coles County, Illinois, have recommended that the requested variance be granted; and

WHEREAS, the City Council for the City of Mattoon, Coles County, Illinois, deems that the recommended variance is in the public interest.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF MATTOON, COLES COUNTY, ILLINOIS,
as follows:

Section 1. Pursuant to enabling authority provided at Section §159.05 of the Mattoon Code of Ordinances, the property legally described
as aforesaid, be and the same is granted a variance of the height and size requirement of accessory buildings as requested to
enable construction of a post-frame accessory building on the property.

Section 2. This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

Section 3. This ordinance shall be effective upon its approval as provided by law.

Section 4. the City Clerk shall make a file a duly certified copy of this ordinance with the Clerk and Recorder's Office of Coles
County, Illinois.

Upon motion by Mayor White, seconded by Commissioner Cline, adopted this 1st day of August, 2006, by a roll call vote, as follows:

AYES (Names): Commissioner Cline, Commissioner Ervin,
 Commissioner McKenzie, Commissioner Schilling
 Mayor White

NAYS (Names): None

ABSENT (Names): None

Approved this 1st day of August, 2006.

/s/ Charles E. White
Charles E. White
City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM:

/s/ Susan J. O'Brien
Susan J. O'Brien, City Clerk

/s/ J. Preston Owen
J. Preston Owen, City Attorney

Recorded in the Municipality's Records on August 2, 2006.

Mayor White opened the floor for discussion. No discussion.

Mayor White declared the motion carried by the following vote: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

Mayor White seconded by Commissioner Schilling moved to approve Council Decision Request 2006-639, approving the purchase of vehicles for the Police and Public Works Departments through the State of Illinois Joint Purchasing Agreement in the amount of \$162,237.00.

Mayor White opened the floor for discussion. No discussion.

Mayor White declared the motion carried by the following vote: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

Commissioner Schilling seconded by Commissioner Cline moved to approve Council Decision Request 2006-640, approving the bid specifications and cost estimate for the tennis court at Lawson Park, and authorizing the mayor to sign the documents.

Mayor White opened the floor for discussion. Mr. Herb Meeker of the Mattoon Journal Gazette inquired about estimated and budgeted figures. Administrator Gilmore described the reduced costs due to reconstruction of the millings of the tennis courts. Attorney/Treasurer Owen stated the figure should reflect the estimated amount.

Mayor White declared the motion carried by the following vote: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

Commissioner Schilling seconded by Commissioner McKenzie moved to approve Council Decision Request 2006-641, approving the bid specifications and cost estimate for the street sign replacements, and authorizing the mayor to sign the documents.

Mayor White opened the floor for discussion. No discussion.

Mayor White declared the motion carried by the following vote: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

Commissioner McKenzie seconded by Commissioner Ervin moved to approve Council Decision Request 2006-642, authorizing the mayor to sign the specification and cost estimates for the 2006 Street Striping Project.

Mayor White opened the floor for discussion. No discussion.

Mayor White declared the motion carried by the following vote: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

Commissioner McKenzie seconded by Commissioner Schilling moved to adopt Resolution 2006-2657, approving the street striping of Dettro Drive, Swords Drive, Fort Worth Way, and Remington Road with Motor Fuel Tax Funds in the amount of \$24,000 (2006 Street Striping Project).

RESOLUTION 2006-2657



Resolution for Improvement by
Municipality Under the Illinois
Highway Code

BE IT RESOLVED, by the _____ Council _____ of the
_____ Council or President and Board of Trustees
City _____ of _____ Mattoon _____ Illinois
City, Town or Village
that the following described street(s) be improved under the Illinois Highway Code:

Name of Thoroughfare	Route	From	To
Dettro Drive		Route 16	Remington Road
Swords Drive		Broadway Avenue East	Remington Road
Fort Worth Way		Swords Drive	East Terminus
Remington Road		Dettro Drive	Swords Drive

BE IT FURTHER RESOLVED,
1. That the proposed improvement shall consist of _____ Placing polyurea pavement markings for these roads.

_____ and shall be constructed _____ n/a _____ wide
and be designated as Section _____ 06-00147-00-ST _____

2. That there is hereby appropriated the (additional Yes No) sum of _____ Twenty-four thousand dollars
_____ Dollars (\$24,000.00 _____) for the
improvement of said section from the municipality’s allotment of Motor Fuel Tax funds.

3. That work shall be done by _____ contract _____ ; and,
Specify Contract or Day Labor

BE IT FURTHER RESOLVED, that the Clerk is hereby directed to transmit two certified copies of this resolution to the district office of
the Department of Transportation.

Authorized MFT Expenditure	I, _____ Susan J. O'Brien _____ Clerk in and for the City _____ of _____ Mattoon _____ City, Town or Village
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Date

Department of Transportation

Regional Engineer

County of Coles, hereby certify the

foregoing to be a true, perfect and complete copy of a resolution adopted

by the Council

Council or President and Board of Trustees

at a meeting on August 1, 2006

Date

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this

2nd day of August, 2006

(SEAL)

/s/ Susan J. O'Brien

City, Town, or Village Clerk

Mayor White opened the floor for discussion. No discussion.

Mayor White declared the motion carried by the following vote: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

Commissioner McKenzie seconded by Commissioner Ervin moved to adopt Resolution 2006-2658, approving the widening and resurfacing of North 33rd Street from Route 121 to the northern corporate limits with Motor Fuel Tax Funds in the amount of \$14,475.03.

RESOLUTION 2006-2658



Supplemental Resolution for Improvement by
Municipality Under the Illinois
Highway Code

BE IT RESOLVED, by the Council of the
City of Mattoon Illinois
City, Town or Village
that the following described street(s) be improved under the Illinois Highway Code:

Name of Thoroughfare	Route	From	To
N 33 rd Street	FAU 7684	Illinois 121	North Corporate Limits

BE IT FURTHER RESOLVED,
1. That the proposed improvement shall consist of Widening and resurfacing the existing pavement

_____ and shall be constructed _____ wide

and be designated as Section 03-00108-00-WR

2. That there is hereby appropriated the (additional Yes No) sum of Fourteen Thousand Four Hundred

Seventy Five Dollars and Three cents Dollars (\$14,475.03) for the

improvement of said section from the municipality’s allotment of Motor Fuel Tax funds.

3. That work shall be done by contract _____ ; and,

Specify Contract or Day Labor

BE IT FURTHER RESOLVED, that the Clerk is hereby directed to transmit two certified copies of this resolution to the district office of the Department of Transportation.

Authorized MFT Expenditure	I, <u>Susan J. O'Brien</u> Clerk in and for the
	<u>City</u> of <u>Mattoon</u>
	City, Town or Village
	County of <u>Coles</u> , hereby certify the
Date	foregoing to be a true, perfect and complete copy of a resolution adopted
	by the <u>Council</u>
	<u>Council or President and Board of Trustees</u>
Department of Transportation	at a meeting on <u>August 1, 2006</u>
	<u>Date</u>
	IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this
	<u>2nd</u> day of <u>August, 2006</u>
Regional Engineer	(SEAL)
	<u>/s/ Susan J. O'Brien</u>
	City, Town, or Village Clerk

Mayor White opened the floor for discussion. No discussion.

Mayor White declared the motion carried by the following vote: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

Commissioner McKenzie seconded by Commissioner Schilling moved to adopt Resolution 2006-2659, approving the engineering to update plans and specifications, and construction inspection for reconstruction of Broadway Avenue East from Swords Drive to McFall Road with Motor Fuel Tax Funds in the amount of \$30,000.

RESOLUTION 2006-2659

Supplemental Resolution for Improvement by
Municipality Under the Illinois
Highway Code

BE IT RESOLVED, by the Council of the City of Mattoon, Illinois, that the following described street(s) be improved under the Illinois Highway Code:

Name of Thoroughfare	Route	From	To
Broadway Avenue East	FAU 7671	East of Swords Drive	McFall Road

BE IT FURTHER RESOLVED, 1. That the proposed improvement shall consist of Engineering to update plans and specifications and construction inspection for reconstruction of Broadway Avenue East from just East of Swords Drive to McFall Road.

and shall be constructed wide and be designated as Section 99-00099-00-WR

2. That there is hereby appropriated the (additional Yes No) sum of Thirty Thousand Dollars Dollars (\$30,000.00) for the improvement of said section from the municipality's allotment of Motor Fuel Tax funds.

3. That work shall be done by The Upchurch Group, Inc and City of Mattoon Engineering Dept. ; and, Specify Contract or Day Labor

BE IT FURTHER RESOLVED, that the Clerk is hereby directed to transmit two certified copies of this resolution to the district office of the Department of Transportation.

Authorized MFT Expenditure I, Susan J. O'Brien Clerk in and for the

Date

Department of Transportation

Regional Engineer

City _____ of _____
City, Town or Village
County of _____, hereby certify the

foregoing to be a true, perfect and complete copy of a resolution adopted

by the _____
Council or President and Board of Trustees
at a meeting on _____
August 1, 2006

Date

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this

2nd _____ day of _____
August, 2006

(SEAL)

/s/ Susan J. O'Brien
City, Town, or Village Clerk

Mayor White opened the floor for discussion. No discussion.

Mayor White declared the motion carried by the following vote: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

Commissioner Schilling seconded by Commissioner McKenzie moved to approve Council Decision Request 2006-643, authorizing the mayor to sign an amendment to a design contract in the amount of \$22,000 with Clark –Dietz for expanding the scope of the Wastewater Treatment Plant Automation Project.

Mayor White opened the floor for discussion. No discussion.

Mayor White declared the motion carried by the following vote: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

Commissioner Schilling seconded by Commissioner Ervin moved to approve Council Decision Request 2006-644, authorizing the mayor to sign the notice of award and contract documents to proceed with the Lake Paradise Sedimentation Removal with Freeman Environmental Services for \$296,600.

Mayor White opened the floor for discussion. No discussion.

Mayor White declared the motion carried by the following vote: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

Mayor White seconded by Commissioner Ervin moved to adopt Resolution 2006-2660, authorizing a feasibility study on the propose I-57 East TIF District as a redevelopment project area and other related matters.

Resolution No. 2006 –2660

Resolution Providing for a Feasibility Study on the Designation of an Area as a Redevelopment Project Area; and concerning related matters.

Be it Resolved by the City Council of the City of Mattoon, Coles County, Illinois, as follows:

Section 1. Recitals. It is found and declared by the City Council (the “City Council”) of the City of Mattoon, Coles County, Illinois (the “City”), as follows:

(a) The City is a duly organized and existing municipality of the State of Illinois, and is now operating under and pursuant to the provisions of the Illinois Municipal Code, as amended (65 ILCS 5/1-1-1 *et seq.*; the “Municipal Code”), and is a “governmental unit” as defined in Section 2(i) of the Local Governmental Debt Reform Act of the State of Illinois, as amended, 30 ILCS 350/1 *et seq.* (the “Debt Reform Act”).

(b) Under the Tax Increment Allocation Redevelopment Act, 65 ILCS 5/11-74-1 *et seq.* (the “Act”), the City is authorized (i) to designate a “blighted area” or a “conservation area” (each as defined in the Act) located within the territorial limits of the City as a redevelopment project area, (ii) to approve a redevelopment project and plan intended, through the exercise by the City of its powers under the Act, to alleviate the conditions that cause the redevelopment project area to be a blighted area or a conservation area, and (iii) to adopt tax increment allocation financing within the redevelopment project area to provide for the payment of “redevelopment project costs” (as defined in the Act) in connection with the redevelopment project and plan.

(c) The City Council desires to have an investigation made of the proposed designation of certain property shown on *Exhibit A* attached to this Resolution and located within the City (referred to as the “Area”) in order to determine the eligibility of the Area as a redevelopment project area under the Act.

(d) The City Council desires to retain Ehlers and Associates, Inc. to conduct such investigation and prepare a report with respect to such eligibility.

(e) Section 11-74.4-4.1 of the Act provides that if a municipality adopts an ordinance or resolution providing for a feasibility study on the designation of an area as a redevelopment project area, a copy of the ordinance or resolution must be sent immediately to all “taxing districts” (as defined in the Act) that would be affected by the designation. The taxing districts listed on *Exhibit B* are all of the taxing districts that will be affected by the designation of the Area as a redevelopment project area.

(f) Designation of the Area as a redevelopment project area will not result in the displacement of any residents from any inhabited residential units.

Section 2. Authorization of Eligibility Study. Ehlers and Associates, Inc. is authorized and directed to undertake an investigation to determine the eligibility of the Area as a redevelopment project area under the Act and in connection with such investigation to prepare a report with respect to such eligibility.

Section 3. Required Information. In compliance with Section 11-74.4-4.1 of the Act, the City Council provides the following information:

(a) *Boundaries.* A legal description of the Area is attached as *Exhibit A*. The Area comprises tracts of land totaling approximately 320.964 acres generally located within the following boundaries within the City: Beginning at the intersection of the south line of Section 16, Township 12 North, Range 8 East, and Lerna Road and proceeding west along said south line of Section 16 1,875.50 feet, then north 1,336.49 feet, then west to the east right-of-way line of Interstate 57, then proceeding north along the east right-of-way line of Interstate 57 passing and including its southeast and northeast interchange with State Route 16 to the northwestern property line of property identified as “Topa Farms, Inc./Ashbrook Subdivision”, then following the north and northwest property lines of the “Topa Farms, Inc./Ashbrook Subdivision” to the Lerna Road, then along the east side of Lerna Road south across Route 16 to the south line of Section 16, Township 12 North, Range 8 East.

(b) *Purpose or Purposes of Proposed Redevelopment Project and Plan.* In general, the purpose of the proposed redevelopment project would be to alleviate the conditions that cause the proposed redevelopment project area to be a “blighted area” or a “conservation area” under the Act through the exercise by the City of its powers under the Act. In particular, the purpose of the proposed redevelopment project would be to alleviate all or part of the flooding within the same watershed as the proposed redevelopment project area, to the extent such flooding is contributed to by surface water that discharges from all or part of said redevelopment project area.

(c) General Description of Tax Increment Allocation Financing. Under Section 11-74.4-8 of the Act, the City is authorized to undertake tax increment allocation financing within the boundaries of a redevelopment project area designated under the Act. At the time the redevelopment project area is designated, the City may adopt tax increment allocation financing by passing an appropriate ordinance and filing it with the County Clerk. The County Clerk will then determine the equalized assessed value (the “initial equalized assessed value”) of each taxable lot, block, tract or parcel of real property within the proposed redevelopment project area, and the total initial equalized assessed value of all taxable real property within the redevelopment project area. Thereafter, *ad valorem* property tax receipts generated by the taxable real property within the redevelopment project area are allocated as provided in the Act. The portion of the tax receipts attributable to the initial equalized assessed value of each piece of property (or to the current equalized assessed value of such property, if lower) is distributed to the taxing districts as if the redevelopment project area had not been designated. The portion of the tax receipts attributable to the increase (if any) in the current equalized assessed value of each piece of property over the initial equalized assessed value of such property is paid to the City for deposit in a special tax allocation fund and must be used to pay redevelopment project costs or debt service on City bonds or notes issued to pay redevelopment project costs.

(d) Contact Information. For further information concerning the proposed redevelopment project area, please contact:

Alan L. Gilmore
City Administrator
City of Mattoon
208 N. 19th Street
Mattoon, IL 61938
(217) 235-5511 (phone)
(217) 258-6435 (fax)

All comments and suggestions regarding the redevelopment of the Area should be directed to Mr. Gilmore.

Section 4. Duties of City Clerk. The City Clerk shall cause copies of this Resolution to be mailed to the taxing districts listed on *Exhibit B*, which are all of the taxing districts that would be affected if the Area were designated as a redevelopment project area, in accordance with the provisions of Section 11-74.4-4.1 of the Act.

Section 5. Additional Authority. The Mayor, the City Treasurer, the City Clerk, and the other officers and employees of the City are authorized to execute and deliver on behalf of the City such other documents, agreements and certificates and to do such other things consistent with the terms of this Resolution as such officers and employees shall deem necessary or appropriate in order to effectuate the intent and purposes of this Resolution.

Section 6. Conflicting Ordinances, Etc. All ordinances, resolutions and orders or parts of ordinances, resolutions and orders in conflict with this Resolution are repealed to the extent of such conflict.

Section 7. Effective Date. This Resolution shall be in full force and effect immediately upon its passage.

Upon motion by Mayor White, seconded by Commissioner Ervin, adopted this 1st day of August, 2006, by a roll call vote, as follows:

AYES (Names): Commissioner Cline, Commissioner Ervin,
Commissioner McKenzie, Commissioner Schilling,
Mayor White

NAYS (Names): None

ABSENT (Names): None

Approved this 1st day of August, 2006.

/s/ Charles E. White

Charlie E. White, Mayor
City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM:

/s/Susan J. O'Brien

Susan J. O'Brien, City Clerk

/s/ J. Preston Owen

J. Preston Owen, City Attorney

Recorded in the Municipality's Records on August 2nd, 2006.

Exhibit A

Legal Description of the Area

That part of the North ½, of Section 16, Township 12 North, Range 8 East of the Third Principal Meridian, Coles County, Illinois, described as follows:

Commencing at the Intersection of the East line of the Northwest ¼, of the Northeast ¼, of said Section 16 with the southerly right of way line of the former C.C.C. & St. Louis Railroad; thence S 81°04'20"W. – 61.66 feet along said southerly right of way line to the point of beginning; thence S 0°42'25"E. – 505.80 feet along the West right of way line of the Lerna Road; thence N 89°17'35"E. – 5.00 feet along said right of way; thence S 0°42'25"E. – 400.00 feet along said right of way line; thence N 89°17'35"E. – 10.00 feet along said right of way line; thence S 0°42'25"E. – 1386.34 feet along said right of way line to a point on the northerly right of way line of Illinois Route 16; thence S 89°27'50"W. – 2782.89 feet along said northerly right of way line to a point on the easterly right of way line of F.A. Interstate 57; thence N 50°41'55"W. – 275.40 feet along said right of way line; thence N 24°36'46"W. – 315.60 feet along said right of way line; thence N 53°41'46"W. – 192.09 feet along said right of way line; thence N 68°39'12"W. – 223.89 feet along said right of way line; thence N. 30°32'03"W. – 158.83 feet along said right of way line; thence N 2°57'02"W. – 319.26 feet along said right of way line to a point on the north line of the South ½, of the Northwest ¼, of said Section 16; thence N 87°49'29"E. – 1499.28 feet along said North line; thence N 2°39'58"W. – 822.10 feet to a point on the southerly right of way line of the former C.C.C. & St. Louis Railroad; thence N 81°04'20"E. – 2110.11 feet along said southerly right of way line to the point of beginning, containing 133.51 acres, more or less.

AND ALSO

Commencing at the Northeast Corner of the Southeast Quarter (SE ¼) of said Section Sixteen (16); thence south 0°17'32" West [bearings based on F.A.I Route 04 (I-57) R.O.W. plat] a distance of 1331.09 feet along the East line of said Section Sixteen (16); thence South 88°16'20" West a distance of 1329.10 feet to a point in the West right of way line of Lerna Road and the point of beginning; thence continue South 88°16'20" West, a distance of 3580.55 feet to a point in the East right of way line of F.A.I. Route 04 (I-57); thence north 04°25'49" East along said right of way line, a distance of 234.86 feet; thence North 17°12'02" East along said right of way line, a distance of 317.84 feet; thence North 47°55'25" East along said right of way line, a distance of 404.60 feet; thence North 23°17'43" East along said right of way line, a distance of 352.33 feet; thence North 73°03'10" East along the South right of way line at F.A. Rt. 17 (IL Rt. 16), a distance of 286.40 feet; thence North 86°24'38" East along said right of way line, a distance of 500.62 feet; thence North 85°50'22" East along said right of way line, a distance of 250.45 feet; thence North 89°16'21" East along said right of way line, a distance of 1923.01 feet; thence South 32°09'38" East along said right of way line, a distance of 152.36 feet; thence South 00°29'12" East along the West right of way of Lerna Road, a distance of 317.39 feet; thence South 02°22'33" West along said right of way a distance of 200.25 feet; thence South 00°29'12" East along said right of way line a distance of 300.00 feet; thence South 05°13'26" West along said right of way line, a distance of 100.50 feet; thence South 05°03'38" East along said right of way line, a distance of 136.00 feet to the point of beginning, containing 91.531 acres more or less.

AND ALSO

The Southwest Quarter (SW ¼) of the Southeast Quarter (SE ¼) and a part of the Southeast Quarter (SE ¼) of the Southeast Quarter (SE

¼) and a part of the Southeast (SE ¼) of the Southwest Quarter (SW ¼) all in Section 16 (16), Township Twelve (12) North, Range Eight (8) East of the Third Principal Meridian, more particularly described as follows:

Commencing at the Northeast corner of the Southeast Quarter (SE ¼) of said Section Sixteen (16); thence South 0°17’32” West [bearings based on F.A.I. Route 04 (I-57) R.O.W. plat] a distance of 1331.09 feet along the East line of said Section Sixteen (16); thence South 88°16’20” West a distance of 1329.10 feet to a point in the West right of way line of Lerna Road and the point of beginning; thence South 05°03’38” East along said West right of way line of Lerna Road, a distance of 114.80 feet; thence South 00°29’12’ East along said West right of way line of Lerna Road, 1218.21 feet to a point on the South line of said Section 16; thence South 88°09’57” West along said South line of Section 16, a distance of 1875.50 feet; thence North 00°11’59” West a distance of 1336.49 feet; thence North 88°16’20” East a distance of 1859.57 feet to the point of beginning, containing 58.503 acres more or less.

AND ALSO

Including the northeast and southeast interchange between Interstate 57 and State Route 16 and State Route 16 and its rights-of way between Interstate 57 and the Lerna Road, containing 37.42 acres more or less.

These tracts of land contain a total of 320.964 acres, more or less, and include the following parcels:

<u>Topa Farms, Inc./Ashbrook Subdivision</u>	<u>Parcel Number</u>
Block 1	06-0-05135-000
Block 2	06-0-05136-000
Block 3	06-0-05137-000
Block 4	06-0-05138-000
Block 5	06-0-05139-000
Block 6	06-0-05140-000
Block 7	06-0-05141-000
Outlot A	06-0-05142-000

<u>Coles Centre Subdivision</u>	<u>Parcel Number</u>
Block 1	06-0-5151-000
Block 2	06-0-5152-000
Block 3	06-0-5153-000
Block 4	06-0-5154-000
Block 5	06-0-5155-000

Exhibit B
Affected Taxing Districts
Coles County
Lafayette Township
Lake land Community College District
Mattoon Community Unit #2 School District
Loxa Drainage District
Shellhammer Drainage District
Coles County Airport Authority
Department of Commerce and Economic Opportunity

State of Illinois)
)
County of Coles)

Certification of Resolution

I, the undersigned, certify that I am the duly qualified and acting City Clerk of the City of Mattoon, Coles County, Illinois (the “City”), and that as such official I am the keeper of the records and files of the City Council (the “City Council”) of the City.

I further certify that the foregoing is a full, true and complete copy of an extract of the minutes of the regular meeting of the City Council held on August 1, 2006, evidencing the adoption of Resolution No. 2006-2660 adopted at that regular meeting entitled:

Resolution Providing for a Feasibility Study on the Designation of an Area as a Redevelopment Project Area; and Concerning Related Matters.

which resolution was duly adopted at the meeting by a roll call vote of 5 in favor and 0 against, with 0 abstentions and 0 absent. At the meeting a quorum was present and acting throughout the meeting. The resolution has not been amended or repealed and remains in full force and effect.

I further certify that the deliberations of the City Council on the adoption of the resolution were conducted openly, that the vote on the adoption of the resolution was taken openly, that the meeting was held at a specified time and place convenient to the public, that notice of the meeting was duly given to the members of the City Council and all of the news media requesting such notice, that the agenda for the meeting was posted publicly in compliance with the Open Meetings Act at least 48 hours prior to the convening of the meeting at the meeting place and at the principal offices of the City, that the meeting was called and held in strict compliance with the provisions of the Illinois Open Meetings Act and the Illinois Municipal Code Act, as amended, and that the City Council complied with all of the provisions of the Open Meetings Act and the Municipal Code, and with all of the procedural rules of the City Council, in connection with its consideration and adoption of the resolution.

In Witness Whereof, I hereunto affix my official signature and the seal of the City as of this 1st day of August, 2006.

/s/ Susan J. O’Brien
City Clerk,
City of Mattoon
Coles County, Illinois

[Seal]

Mayor White opened the floor for discussion. No discussion.

Mayor White declared the motion carried by the following vote: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

Mayor White seconded by Commissioner McKenzie moved to recess to closed session at 7:10 p.m. pursuant to the Illinois Open Meetings Act for the purpose of considering the purchase or lease of real property (5 ILCS 120(2)(c)(5)); and the price for sale or lease of property (5 ILCS 120(2)(c)(6)).

Mayor White declared the motion carried by the following vote: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

Council reconvened at 7:37 p.m.

Mayor White seconded by Commissioner Schilling moved to adjourn at 7:38 p.m.

Mayor White declared the motion carried by the following vote: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

/s/ Susan J. O’Brien

City Clerk